

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAZELLA W SPEAKS,

Plaintiff,

V

Defendant.

1 Plaintiff failed to appear at that initial CMC, and the
2 court issued an order to show cause in writing by June 5, 2008, why
3 the case should not be dismissed for failure to prosecute. Doc
4 ##13-14. Plaintiff failed to respond to the court's order.

5 Plaintiff's failure to appear at the initial CMC suggests
6 that she is no longer interested in pursuing this litigation.
7 Plaintiff also failed to respond to the order to show cause. It
8 appears that plaintiff did not respond to the order to show cause
9 because the court's attempt to serve plaintiff with a copy of the
10 order to show cause was returned as undeliverable. Doc ##15-16.
11 Without a valid address on file for plaintiff, who apparently has
12 retained an attorney who has not yet filed an appearance (see Doc
13 #1 (civil cover sheet); see also summons issued December 28, 2007),
14 this litigation cannot proceed. If service on plaintiff will never
15 be successful, then no proceedings may be conducted without
16 prejudicing defendant. Moreover, plaintiff's failure to provide
17 the court with a valid address demonstrates that plaintiff has
18 little to no interest in fairly litigating this case. Accordingly,
19 the court orders that this case be DISMISSED without prejudice.

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22 IT IS SO ORDERED.

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25 VAUGHN R WALKER
26 United States District Chief Judge
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